

UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF NEW YORK

MOTION DATE:  
April 14, 2016 @ 10:00 a.m.

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In re:

Chapter 7  
Case No. 16-20163

DIANNE LYNN LUNN,

**ORDER VACATING STAY**

Debtors.

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APPLICATION HAVING BEEN MADE to this Court by WestVue NPL Trust II, (hereinafter referred to as "WestVue") by Notice of Motion dated March 24, 2016, seeking an Order vacating as to it the automatic stay imposed by 11 U.S.C. 362(a); and it appearing that Notice of said Motion, Affidavit and Affirmation having been served upon the debtor, debtor's attorney, the Chapter 7 Trustee and the U.S. Trustee; and this matter having come before the United States Bankruptcy Court at 10:00 a.m. on April 14, 2016; and there being no written opposition thereto; and good and sufficient cause appearing therefore; it is

ORDERED, that the application of WestVue to the extent it requests an order vacating the automatic stay pursuant to 11 U.S.C. 362(d) is hereby granted as set forth below; and it is further

ORDERED, that the automatic stay imposed by 11 U.S.C. 362(a) as to debtor DIANNE LYNN LUNN is hereby terminated as to WestVue, its successors and/or assigns, with respect to the property described below; and it is further

ORDERED, that WestVue, its successors and/or assigns, is

hereby granted leave to proceed with a foreclosure action, and eviction if necessary, in the State of New York, County of Monroe or any other court with jurisdiction, as against the subject real property commonly known and described as 926 Burritt Road, Hilton, NY 14468; and it is further

ORDERED, that Westvue may increase the mortgage indebtedness by the sum of \$750.00 for the fees and \$176.00 for the cost associated with bringing this motion; and it is further

ORDERED, that the provisions of Bankruptcy Rule 4001(a)(3) are hereby waived; and it is further

ORDERED, that this Order shall remain in full force and effect in any conversion or consolidation of the within case; and it is further

ORDERED, that the Chapter 13 Trustee and the debtor shall receive notice of any surplus monies which may exist after the foreclosure sale.

Dated: \_\_\_\_\_, 2016  
Rochester, New York

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HON. Paul R. Warren  
U.S. Bankruptcy Judge  
Western District of New York

Chapter 7 Case No. 16-20163

UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF NEW YORK

-----  
In re:

DIANNE LYNN LUNN,

Debtor.

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PROPOSED ORDER VACATING AUTOMATIC STAY  
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PETER T. ROACH AND ASSOCIATES, P.C.  
Attorney for WestVue NPL Trust II  
6901 Jericho Turnpike - Suite 240  
Syosset, New York 11791  
(516) 938-3100  
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Service of a copy of the within document is hereby admitted.  
Dated, \_\_\_\_\_

Attorneys for WestVue NPL Trust II

-----Sir:  
Please take notice



NOTICE OF ENTRY

that the within is a certified/true/conformed copy of an Order  
duly entered in the Office of the Clerk of the within named  
court on April 14, 2016.

Dated: Syosset, New York  
March 24, 2016

Yours, etc.

PETER T. ROACH AND ASSOCIATES, P.C.  
Michael C. Manniello, Esq.  
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